

Application No.: 10/658490

Case No.: 59004US002

REMARKS

Claim 26 stands rejected under 35 USC 112, second paragraph, as being indefinite in that the phrase "injection molding the airbag cover" is not clearly disclosed. Without acquiescing, Applicants have amended claim 26 to recite "molding the airbag cover" to match the language used by the Examiner for examination purposes. Applicants therefore request reconsideration and withdrawal of the rejection.

Claims 1-8 and 13-35 stand rejected under 35 USC 103(a) as being unpatentable over US Patent 5,942,815 (Neuman) in view of US Patent 5,423,569 (Reighard). Applicants disagree.

Each of Applicants' claims recite a capacitive touch sensor that senses touches by capacitively coupling to the touch through an airbag cover or another existing surface inside a vehicle. Neuman and Reighard disclose the use of switches that are wholly internally activated, that is the switches include all the components necessary for activation independent of the implement used to activate the switch. Not so with Applicants' claimed invention which requires that the touch sensor is capacitively coupled to the touch, making the touch implement a part of the "switch." There is nothing in Neuman or Reighard to teach or suggest using a capacitive touch sensor that capacitively couples to the touch through an airbag cover or an existing surface inside a vehicle in order to control functions within the vehicle. As such, the proposed combination of Neuman with Reighard does not disclose all the elements recited Applicants' claims, and a prima facie case of obviousness has not been made.

In addition, the disclosures of Neuman and Reighard are each specifically drawn around the use of particular kinds of switches – a flexible parallel plate capacitor in the case of Neuman, and flexible, pressure sensitive switch such as a piezoelectric element in the case of Reighard. There is nothing in either reference that would motivate one of skill in the art to include a capacitive touch sensor that capacitively couples to a touch such as recited by Applicants. Rather, one of skill in the art would understand from Neuman and Reighard that self-contained switches can be suitably formed in the steering wheel to control various vehicle functions, and so there would be no reason to look to the art of capacitive touch sensors. For at least this additional reason, there is no motivation or reasonable expectation of success that can be gleaned

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from the proposed combination of Neuman with Reighard, which further punctuates the failure to state a prima facie case of obviousness.

Applicants therefore request reconsideration and withdrawal of the rejection of claims 1-8 and 13-35 over Neuman in view of Reighard.

Claim 9 stands rejected under 35 USC 103(a) as being unpatentable over Neuman in view of Reighard and in further view of US Patent 6,188,391 (Seely). Applicants disagree. Seely adds nothing to cure all the deficiencies noted above for the underlying combination of Neuman and Reighard. Applicants therefore submit that a prima facie case of obviousness has not been stated, and request reconsideration and withdrawal of the rejection.

Claim 10 stands rejected under 35 USC 103(a) as being unpatentable over Neuman in view of Reighard and in further view of US Patent 4,755,634 (Pepper). Applicants disagree. Pepper adds nothing to cure all the deficiencies noted above for the underlying combination of Neuman and Reighard. Applicants therefore submit that a prima facie case of obviousness has not been stated, and request reconsideration and withdrawal of the rejection.

Claim 11 stands rejected under 35 USC 103(a) as being unpatentable over Neuman in view of Reighard and in further view of US Patent 6,043,809 (Holchan). Applicants disagree. Holchan adds nothing to cure all the deficiencies noted above for the underlying combination of Neuman and Reighard. Applicants therefore submit that a prima facie case of obviousness has not been stated, and request reconsideration and withdrawal of the rejection.

Claim 12 stands rejected under 35 USC 103(a) as being unpatentable over Neuman in view of Reighard and in further view of PCT 96/15464 (Tagg). Applicants disagree. Tagg adds nothing to cure all the deficiencies noted above for the underlying combination of Neuman and Reighard. Applicants therefore submit that a prima facie case of obviousness has not been stated, and request reconsideration and withdrawal of the rejection.

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Conclusion

Applicants submit that claims 1-35 are in condition for allowance, and request early indication of the same.

Respectfully submitted,

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